

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-40216-2018

Date of decision: 26.10.2018

Sukhdeep Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Kewal Singh, Advocate for the petitioners.

Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

As per office report, notice issued to respondent No. 2 has been received back served through his son which is an effective service, but none has put in appearance on his behalf.

Learned counsel for the petitioners *inter alia* contends that in this case untraced reports dated 20.10.2012 (Annexures P-3 and P-4, respectively) were filed in Court, on the basis of compromise effected in between the parties. Thereafter, neither the petitioners, nor complainant-respondent No. 2, ever appeared before the trial Court, thinking that un-traced report has been accepted by the Court and further proceedings must have been quashed. However, when the petitioners applied for passport, they came to know that FIR No. 70 dated 23.07.2011 (Annexure P-1) under Sections 323, 341, 506, 148 and 149 IPC at Police Station

Jodhan, District Ludhiana, was still pending against them for no reasons whatsoever.

Considering this aspect of the matter and compromise Annexure P-2, untraced reports dated 20.10.2012 (Annexures P-3 and P-4, respectively) and the fact that respondent No. 2-Kesar Singh, did not turn up to contest the petition, despite his effective service, aforesaid FIR No. 70 dated 23.07.2011 (Annexure P-1) under Sections 323, 341, 506, 148 and 149 IPC at Police Station Jodhan, District Ludhiana and all subsequent proceedings arising therefrom qua the petitioners are quashed.

Disposed of.

October 26, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No